



**US Army Corps
of Engineers**

Vicksburg District
4155 Clay Street
Vicksburg, MS 39183-3435



Public Notice

APPLICATION NO.:	JGC-200307500
EVALUATOR:	Mr. Joshua Carpenter
PHONE NO.:	(601) 6315152
FAX NO.:	(601) 631-5459
E-MAIL:	regulatory@mvk02.usace.army.mil
DATE:	December 10, 2003
EXPIRATION DATE:	December 31, 2003

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District, and the Louisiana Department of Environmental Quality, Office of Environmental Services are considering an application for a Department of the Army permit and State water quality certification for the work described herein. A water quality certification is required in accordance with statutory authority contained in the LRS 30:2074 A(3) and provisions of the Clean Water Act. Comments should be forwarded to the Vicksburg District, ATTN: CEMVK-OD-F, at the above address and the Louisiana Department of Environmental Quality, Office of Environmental Services, Post Office Box 4313, Baton Rouge, LA 70821-4313. The Louisiana Department of Environmental Quality has a copy of the application on file in their office in Baton Rouge and may be inspected at any time between 8:00 a.m. and 4:30 p.m. weekdays. Copies may be obtained from the Louisiana Department of Environmental Quality upon payment of cost of printing. The Louisiana Department of Environmental Quality will make a final decision on the water quality certification pertaining to this application within 30 days after expiration of this notice.

Law Requiring a Permit: Section 404 of the Clean Water Act (33 U.S.C. 1344), which applies to discharges of dredged or fill material into waters of the United States.

Name of Applicant:

Mr. Stephen England, Manager of Mined Lands
Texas Industries, LP
1341 West Mockingbird Lane
Dallas, Texas 75247

Location of Work: Section 28, T20N-R5E, latitude 32° 41' 28.90" longitude 91° 57' 44.97", within the Ouachita River drainage basin, Morehouse Parish, near Bastrop, Louisiana.

Description of Work: (See enclosed map and drawings.)

The following descriptions of the proposed project and associated impacts are based upon information provided by the applicant.

The applicant is applying for a Department of the Army permit to discharge dredged and/or fill material into wetlands and other waters of the United States associated with a sand and gravel mining operation. The purpose of the project would be to obtain construction aggregates to provide to the local market.

The project site consists of approximately 238.33 acres of which approximately 18.04 acres are an existing active borrow pit, approximately 12.02 acres are wetlands, and approximately 6.17 acres are other waters of the United States.

Common woody vegetation on the wet sites includes, but is not limited to, *Carya aquatica* (water hickory), *Taxodium distichum* (baldcypress), *Ulmus alata* (winged elm), *Liquidambar styraciflua* (sweetgum), and *Pinus taeda* (loblolly pine). Common vine species on the wet sites include, but are not limited to, *Smilax rotundifolia* (common greenbrier) and *Toxicodendron radicans* (poison-ivy). Common vegetation in the shrub layer on the wet sites includes, but is not limited to, *Callicarpa americana* (American beautyberry), *Rhus copallinum* (winged sumac), and *Cephalanthus occidentalis* (buttonbush). Common vegetation in the herbaceous layer on the wet sites includes, but is not limited to, *Polygonum punctatum* Ell. (dotted smartweed), *Juncus effuses* (soft rush), *Panicum dichotomiflorum* (fall panicum), *Paspalum dilatatum* (dallis grass), and *Cyperus odoratus* (fragrant flatsedge).

The proposed project would consist of multiple phases. Phase I, including berm construction, which would separate process water from storm water, and site preparation, would begin in the southwest corner of the property. An on-site processing plant would be constructed in the middle of the property, and a sand containment area would be constructed on the southeast corner of the property. Non-marketable soils from the site would be used to construct the processing plant foundation and an access road in an upland area on site. Earthen berms would be constructed around a pit area and a settling basin. The sand containment area, the pit area, and the settling basin would be dynamic in size dependent upon the market. These containment areas would be located primarily within upland areas. All aggregate excavation

work would be done using a hydraulic dredge, and all site preparatory work would be done using standard equipment such as bulldozers, backhoes, and pans. The sand and gravel recovery in Phase I would take approximately 1.5 to 2.0 years.

Phase II would include a narrow cut across Sandy Lick Bayou, which flows east to west through the property. A dredge crossing would be temporarily located at the narrowest part of Sandy Lick Bayou at an existing road crossing. The dredge crossing would take approximately one week and the original crossing and head walls would be restored. The erosion control berm would be closed behind the dredge to separate the storm water from the disturbed areas. The berm would be stabilized to minimize erosion. Dredging would continue to the existing pit to the north and east of the crossing. Dredging would continue in this area for the next three to five years extending southeastward toward the Sandy Lick Bayou. Erosion control berms between the work area and the bayou would be maintained at all times to separate the disturbed areas from the bayou. After completing work in this area, the dredge would move to the north and site restoration would begin in the southeast. Additionally, a drain on the west side of the property would be excavated. Some mechanized land clearing would impact approximately 0.076 acre of wetlands and other waters of the United States in this drain. Mining would then proceed northeastward and then to the west. Anticipated production time would be approximately 5 years and restoration would be concurrent. The final grading would take approximately one year and revegetation would take approximately two years. Erosion control would remain in place during the restoration. The entire sand and gravel process would remove up to 40 feet of earthen material (estimated up to 1,000,000 cubic yards of sand and up to 1,000,000 cubic yards of gravel) from the site, depending on market demand. An estimated 50 to 70 percent by volume of excavated sands would be unmarketable and would be used to restore the previously mined areas.

The Final Reclamation Phase would include the creation of an approximately 10-acre lake in the northwest corner of the property, approximately 5.5 acres of shallow water habitat north of Sandy Lick Bayou, and 4.8 acres of shallow water habitat south of Sandy Lick Bayou.

The placement of dredged and/or fill material in waters of the United States associated with the mechanized land clearing and levee construction requires a Department of the Army Permit.

Upon reviewing this notice, you should write to this office to provide your opinion of the impacts this work will have on the natural and human environment and address any mitigation you believe is necessary to offset these impacts. Other comments are welcome, but the above information will further our review of the applicant's plan as proposed. Comments of a general nature are not as helpful as those specific to the impacts of the subject project.

State Water Quality Permit: The State Pollution Control Agency must certify that the described work will comply with the State's water quality standards and effluent limitations before a Corps permit is issued.

Cultural Resources: An initial review indicates that the proposed project would not affect any of the sites in Morehouse Parish listed in the National Register of Historic Places. Copies of this notice have been sent to the State Historic Preservation Officer, Federally Recognized Tribes, the Corps archaeologists, and other interested parties for comment on potential effects to cultural resources that could result from this activity.

Endangered Species: Our initial finding is that the proposed work would not affect any endangered species or their critical habitat. This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat will be addressed in our evaluation of the described work.

Flood Plain: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements.

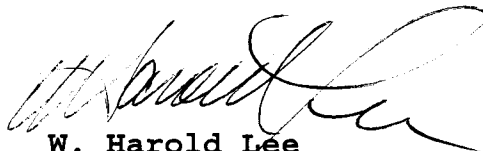
Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which may be expected to accrue from the proposal must be balanced against its expected adverse effects. All factors which may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land

use classification, navigation, recreation, water supply, water quality, energy needs, safety, food requirements and, in general, the needs and welfare of the people. Evaluation of the proposed activity will include application of the guidelines published by the Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act.

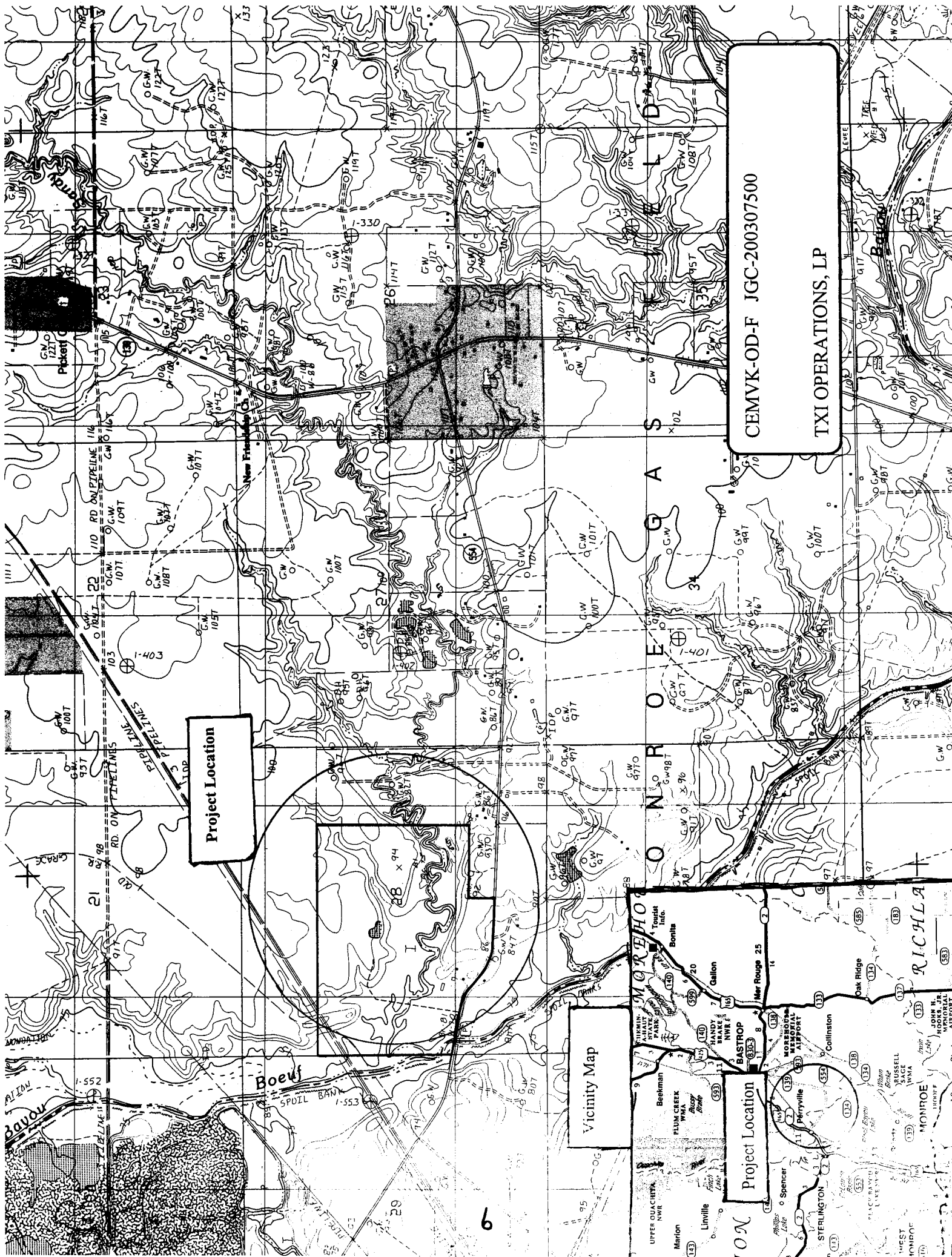
Public Involvement: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine whether to issue the permit, deny the permit, or issue the permit with conditions, and to help us determine the amount and type of mitigation necessary. This information will be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this notice will be interpreted to mean that there is no objection to the proposed work. Please bring this announcement to the attention of anyone you know who might be interested in this matter.

Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <http://www.mvk.usace.army.mil/offices/od/odf/main.asp>, or go directly to the Final Permit Actions web page at <http://www.mvk.usace.army.mil/offices/od/odf/PubNotice/MonthlyNotice/pnmain.asp>.



W. Harold Lee
Team Leader
Evaluation Section



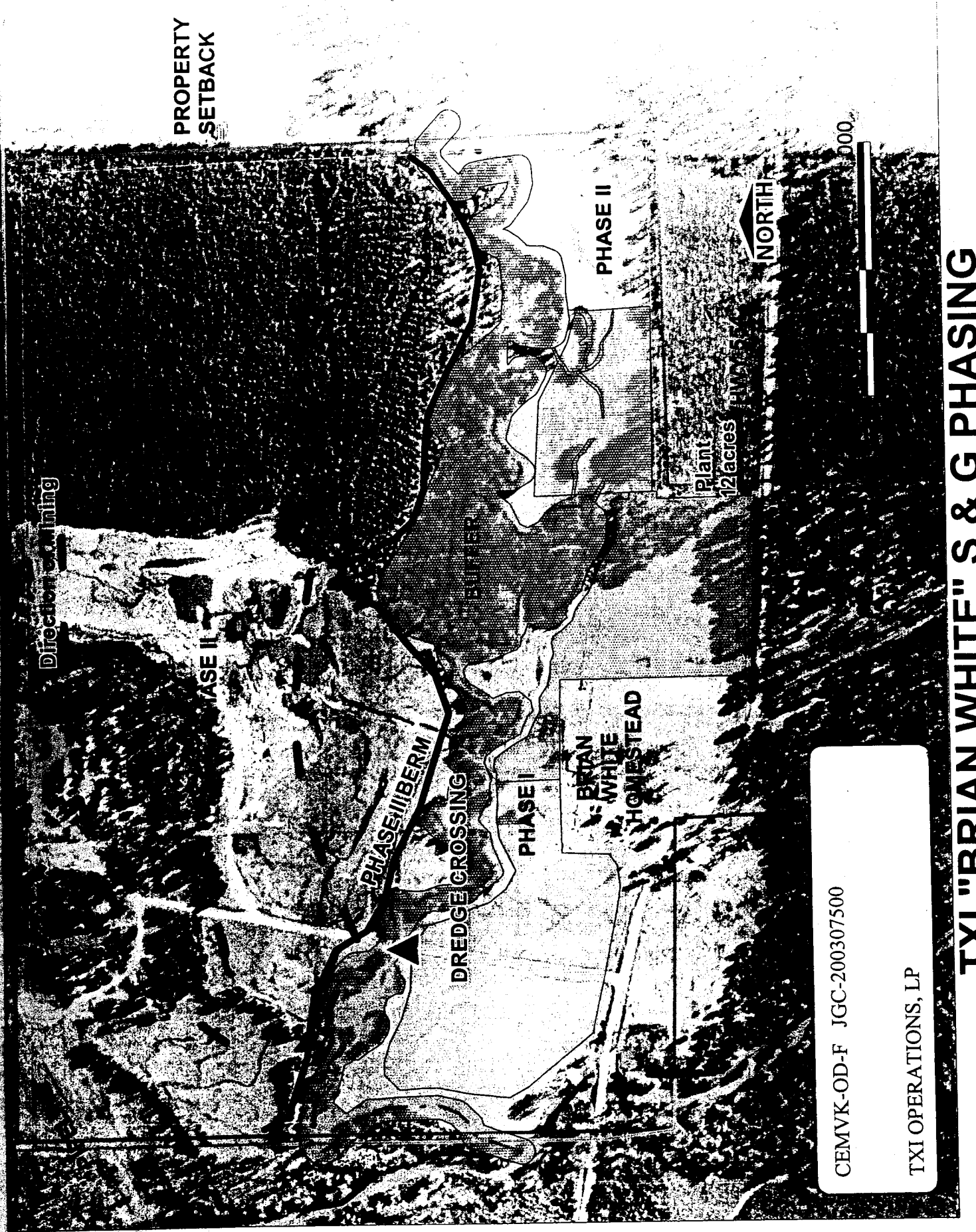
Project Location

Vicinity Map

Project Location

CEMVK-OD-F JGC-200307500

TXI OPERATIONS, LP



Direction of Mining

PROPERTY
SETBACK

PHASE I

PHASE III BERM

DREDGE CROSSING

PHASE II

BRIAN
WHITE
HOMESTEAD

PHASE II

Plant
12 acres

NORTH

CEMVK-OD-F JGC-200307500

TXI OPERATIONS, LP

TXI "BRIAN WHITE" S & G PHASING

CEMVK-OD-F JGC-200307500

TXI OPERATIONS, LP



BRIAN WHITE RECLAMATION PLAN